

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

BELA F. BALOGH)	
Plaintiff)	
)	
V.)	C.A. NO. 04CV40016-FDS
)	
MARIETTE L. POIRIER, F/K/A)	
MARIETTE L. BALOGH, and)	
MASSACHUSETTS STATE)	
CARPENTERS PENSION FUND)	

SCHEDULING CONFERENCE JOINT STATEMENT

As a result of the Court's August 12, 2004 Notice of Scheduling Conference, pursuant to F.R.C.P. Rule 16(b) and Local Rule 16.1, a telephone conference between James F. Grosso, attorney for the Defendant, Massachusetts State Carpenters Pension Fund, Vincent Pusateri, attorney for the Plaintiff and Jerold G. Paquette, attorney for the Defendant, Mariette L. Poirier, f/k/a/ Mariette L. Balogh was held on September 7, 2004. The issues outlined in the Court's Notice were discussed and the parties agree that discovery will be completed according to the following proposed pre-trial schedule.

A. Discovery Plan.

The parties agree that discovery will be conducted with the intent of developing information needed by the parties to realistically assess the case. The Plaintiff and the Defendants will comply with Initial Disclosures as required by F.R.C.P. Rule 26 (a) (1) by exchanging documents no later than October 15, 2004.

1. Written Discovery – The parties agree to limit the written discovery as follows:
 - (a) Twenty-five (25) interrogatories by each party to any other party and;
 - (b) Twenty (20) requests for admissions by each party to the other party.
2. Document Production –The parties will exchange all documents no later than November 15, 2004.
3. Depositions – If depositions are necessary, the Parties agree that depositions shall be completed no later than April 15, 2005.

B. Expert Witnesses – It is unlikely that either party will be calling any expert witnesses.

C. Dispositive Motions. All potentially dispositive motions shall be filed with the Court no later than June 15, 2005. Opposition papers shall be filed within 15 days thereafter. A Reply, if any, shall be filed within 15 days after service of the Opposition.

D. Pre-Trial Conference. A pre-trial conference to be held at least 30 days following final decision on dispositive motions or as the Court deems appropriate.

E. Trial. A trial date to be set for a time following final decision on dispositive motions or as the Court deems appropriate.

F. Settlement Proposals – No party has made an offer of settlement.

G. Certifications – Certifications of Counsel will be sent under separate cover.

BELA F. BALOGH

By his Attorney

MARIETTE L. POIRIER, f/k/a
MARIETTE L.BLOGH
By her Attorney

/s/ Vincent Pusateri

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MASSACHUSETTS STATE
CARPENTERS PENSION FUND

By its attorney,

/s/ James F. Grosso

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